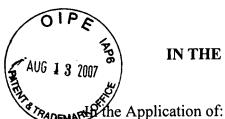
Docket No. 10527US16



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Martin, et al.

Serial No. 09/863,722

Filed: May 23, 2001

For: IMPROVED COMPUTER JUKEBOX AND JUKEBOX NETWORK

Examiner: Dixon, Thomas A.

Group Art Unit: 3628

Confirmation No. 2165

CERTIFICATE OF MAILING

I hereby certify that on the date indicated below this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: <u>August 9, 2007</u>

Joseph M. Butscher Reg. No. 48,326

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT 08 130017 09863722

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Mail Stop Amendment Commissioner for Patent P.O. Box 1450 Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.56, it is respectfully requested that the references listed on the attached form be considered in the examination of the above-identified patent application. Copies of the references are enclosed. Consideration of the listed references in the examination of the present patent application is respectfully requested.

This submission is in no way intended as an admission that the listed references constitute prior art under any subsection of 35 U.S.C. § 102. The Applicants expressly retain the right to take any actions necessary to remove the listed references from the available prior art.

The Applicants note that the enclosed references include deposition transcripts and exhibits used during the depositions. However, exhibits used during the depositions that have been designated as "Confidential" pursuant to a protective order are not enclosed. Pending the approval of the parties who produced these "Confidential" exhibits, these exhibits will be

submitted in a subsequent information disclosure statement.

The Applicants note that some of the enclosed references bear exhibit labels and/or Bates numbers (e.g., "NEU005714"). These exhibit labels and/or Bates numbers do not appear in the original versions of the references. Rather, they were added during litigation.

Pursuant to 37 C.F.R. § 1.97(c), the fee for this information disclosure statement is \$180. The Commissioner is authorized to charge this fee, and any other necessary fees in connection with this statement, to Deposit Account 13-0017.

Respectfully submitted,

Joseph M. Butscher Registration No. 48,326

Attorney for Applicants

Date: <u>August 9, 2007</u>

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Substitute for form 1449/PTO CO TRADENSA

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

AUG 1 3 2007

(Use as many sheets as necessary)

Sheet of 2

Complete if Known				
Application Number	09/863,722			
Filing Date	5/23/2001			
First Named Inventor	John R. Martin			
Art Unit	3628			
Examiner Name	Dixon, Thomas A.			
Attorney Docket Number	10527US16			

-		NON PATENT LITERATURE DOCUMENTS	T -
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	1.	May 31, 2007 Deposition Transcript of David Neuhoff, Ph.D.	
	2.	Neuhoff Deposition - Defendants' Exhibit 39 - U.S. Patent No. 5,388,181	
	3.	Neuhoff Deposition - Defendants' Exhibit 40 - Audiocomp Technical Announcement - Digital Audio compression Technology - August, 1990	
	4.	Neuhoff Deposition - Defendants' Exhibit 49 - 1/30/1992 Memorandum re addendum to invention disclosure	
	5.	Neuhoff Deposition - Defendants' Exhibit 220 - Contributions of Dave Neuhoff to Audiocomp	
	6.	Neuhoff Deposition - Defendants' Exhibit 221 - 7/21/1989 Meeting notes	
	7.	Neuhoff Deposition - Defendants' Exhibit 226 - December, 1990 RePlay Magazine articles	
	8.	Neuhoff Deposition - Defendants' Exhibit 235 - 7/31/1989 program re real time decoding of quantized songs	
	9.	June 13, 2007 Deposition Transcript of David Anderson, Ph.D.	
	10.	Anderson Deposition - Defendants' Exhibit 4 - 4/10/1989 Digital Broadcast Systems - Business Proposal Digital Jukebox	
	11.	Anderson Deposition - Defendants' Exhibit 6 - 5/4/1989 Business Program "A" What Business Are We In	
	12.	Anderson Deposition - Defendants' Exhibit 9 - 8/28/1989 Memorandum re meeting of August 21, 1989	
	13.	Anderson Deposition - Defendants' Exhibit 12 - 9/21/1989 Business Agenda For Dale Computer Meeting	
	14.	Anderson Deposition - Defendants' Exhibit 39 - U.S. Patent No. 5,388,181	
	15.	Anderson Deposition - Defendants' Exhibit 40 - Audiocomp Technical Announcement - Digital Audio compression Technology - August, 1990	
	16.	Anderson Deposition - Defendants' Exhibit 49 - 1/30/1992 Memorandum re addendum to invention disclosure	
	17.	Anderson Deposition - Defendants' Exhibit 54 - November, 1988 Joint Venture Between Digital Broadcast Systems And Computer/Sound Leisure	
	18.	Anderson Deposition - Defendants' Exhibit 96 - File History of Application Serial No. 07/530,547	
-	19.	Anderson Deposition - Defendants' Exhibit 235 - 7/31/1989 program re real time decoding of quantized songs	
	20.	Anderson Deposition - Defendants' Exhibit 239 - Letter to David Anderson from Mike Lorenz	

	21.	Anderson Deposition - Defendants' Exhibit 241 - Letter to David Anderson from Mike Lorenz	
	22.	Anderson Deposition - Defendants' Exhibit 242 - Minutes of Digital Broadcast Systems meeting on November 9, 1988	
	23.	Anderson Deposition - Defendants' Exhibit 246 - 10/27/1989 Email from David Anderson	
	24.	Anderson Deposition - Defendants' Exhibit 247 - Contributions of Dave Anderson to the Music Compression Project	
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Evaminar		Date	
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Examiner	Date '	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.